

Beckworth	Kennard
Bernal	Kothmann
Blanchard	McKool
Brooks	Moore
Connally	Patman
Grover	Ratliff
Hall	Schwartz
Harrington	Sherman
Harris	Snelson
Herring	Wallace
Hightower	Watson
Jordan	Wilson

Absent—Excused

Bridges	Mauzy
Christie	Word
Creighton	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Welcome and Congratulatory Resolutions

S. R. No. 833—By Senator Sherman: Extending commendation to Spearman High School Girls Basketball team, Class AA Champions.

S. R. No. 834—By Senator Watson: Extending welcome to Jesse Jones, et al.

S. R. No. 835—By Senator Herring: Extending congratulations to Mr. and Mrs. Harlie P. Gillespie.

S. R. No. 836—By Senator Brooks: Extending welcome to the Honorable Walter Carr, Houston.

S. R. No. 837—By Senator Herring: Extending welcome to teacher and students, 5th grade class, I. W. Popham Elementary School.

S. R. No. 838—By Senator Jordan: Extending welcome to teachers and students, Texas Southern University.

S. R. No. 839—By Senator Watson: Extending welcome to Edd Martin and Boots Felton.

S. R. No. 840—By Senator Watson: Extending welcome to Paul Smith, et al.

S. R. No. 841—By Senator Watson: Extending welcome to Bill Bailey.

S. R. No. 842—By Senator Watson: Extending welcome to Ben Ford, Tom Martin and Pete Kunz.

S. R. No. 843—By Senator Watson: Extending welcome to Dr. Bill Tanner, et al.

S. R. No. 844—By Senator Watson: Extending welcome to Dr. Doug Guthrie.

S. R. No. 845—By Senators Grover and Schwartz: Extending congratulations to Dr. and Mrs. Jacob M. Cohen.

S. R. No. 846—By Senators Bernal and Kothmann: Extending welcome to teacher and students, St. Mary's University.

#### Adjournment

On motion of Senator Hightower the Senate at 11:55 o'clock a.m. adjourned until 12:00 o'clock m. tomorrow.

#### APPENDIX

Sent to Governor

March 31, 1971

S. C. R. No. 63

#### FORTY-EIGHTH DAY

(Thursday, April 1, 1971)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Connally	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Hightower	Wilson

## Absent—Excused

Bernal	Mauzy
Christie	Ratliff
Creighton	Word
Herring	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

## Leaves of Absence

Senator Ratliff was granted leave of absence for today on account of important business on motion of Senator Aikin.

Senator Word was granted leave of absence for today on account of important business on motion of Senator Hall.

Senator Mauzy was granted leave of absence for today on account of important business on motion of Senator Harris.

Senator Creighton was granted leave of absence for today on account of important business on motion of Senator Harris.

Senator Christie was granted leave of absence for today on account of important business on motion of Senator Blanchard.

Senator Herring was granted leave of absence for today on account of important business on motion of Senator Sherman.

Senator Bernal was granted leave of absence for today on account of important business on motion of Senator Blanchard.

## Message From the House

Hall of the House of Representatives  
Austin, Texas,  
April 1, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 27, A bill to be entitled "An Act relating to the inoculation or vaccination of persons attending elementary or secondary schools; amending Section 2.09, Texas Education Code; and declaring an emergency."

(With Amendments.)

H. B. No. 71, A bill to be entitled "An Act relating to the investigation of accidents on all roads owned and controlled by any water control and improvement district; amending Sections 21 and 43A, Chapter 421, Acts of the 50th Legislature, 1947, as amended (Article 6701d, Vernon's Texas Civil Statutes); and declaring an emergency."

H. C. R. No. 94, Granting either House permission to adjourn from Wednesday, April 7, 1971, to Tuesday, April 13, 1971.

H. B. No. 498, A bill to be entitled "An Act relating to the salary of directors of water improvement districts; amending Article 7722, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

H. B. No. 1458, A bill to be entitled "An Act relating to the creation, establishment, maintenance, financing powers, duties, and operation of certain water districts under the Model Water District Act; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

## Reports of Standing Committees

Senator Blanchard submitted the following reports for the Committee on Insurance:

S. B. No. 612.

S. B. No. 827 (Amended).

(President in Chair.)

Senator Jordan submitted the following report for the Committee on Labor and Management Relations:

S. B. No. 597 (Amended).

## Senate Bill 900 on First Reading

The following local bill was introduced, read first time and referred to the Committee indicated:

By Senator Harrington:

S. B. No. 900, A bill to be entitled "An Act amending Subsection (b) of Section 7 of Article 8161b of the Revised Civil Statutes of the State of Texas, authorizing the commissioner's courts to fix compensation for commissioners of drainage districts in counties having a population of 240,000 or more, according to the last preceding census, and adding Article 8138a of the Revised Civil Statutes of the State of Texas, authorizing the commissioner's courts of counties having a population of 240,000 or more, according to the last preceding federal census, to levy a maintenance tax not exceeding \$.80 on each \$100.00 to the total assessed valuation of such district; and declaring an emergency."

To Committee on County, District and Urban Affairs.

#### Bill Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill:

S. B. No. 140.

#### Senate Concurrent Resolution 69

Senator Bates offered the following resolution:

S. C. R. No. 69, Condemning the conviction of and calling for a full pardon for Lieutenant William L. Calley, Jr.

BATES  
MOORE  
GROVER  
BLANCHARD  
HARRIS  
CONNALLY  
HALL  
WALLACE  
WATSON  
SNELSON  
KOTHMANN

The resolution was read.

Senator Bates asked unanimous consent that the resolution be considered immediately.

There was objection.

Senator Bates then moved that the resolution be considered immediately.

The motion prevailed by the following vote:

Yeas—21

Aikin	Jordan
Bates	Kothmann
Beckworth	McKool
Blanchard	Moore
Brooks	Patman
Connally	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Hightower	

Nays—2

Kennard	Schwartz
---------	----------

Absent

Bridges

Absent—Excused

Bernal	Mauzy
Christie	Ratliff
Creighton	Word
Herring	

Senator Brooks offered the following amendment to the resolution:

Amend S. C. R. 69 by striking the last resolving clause and substituting in lieu thereof the following:

"Resolved, That the Texas Legislature join the many thousands of Americans who firmly believe that the appropriate authorities should review the conviction and consider the granting of a full pardon to Lieutenant William L. Calley, Jr."

The amendment was read.

Senator Bates moved to table the amendment.

Question on the motion to table, "Yeas" and "Nays" were demanded.

The motion to table prevailed by the following vote:

Yeas—18

Aikin	Hightower
Bates	Kothmann
Beckworth	McKool
Blanchard	Moore
Connally	Patman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson

## Nays—6

Bridges	Kennard
Brooks	Schwartz
Jordan	Sherman

## Absent—Excused

Bernal	Mauzy
Christie	Ratliff
Creighton	Word
Herring	

Question—Shall the resolution be adopted?

## Leave of Absence

Senator Harrington was granted leave of absence for the remainder of today on account of important business on motion of Senator Aikin.

## Senate Concurrent Resolution 69

The Senate resumed the consideration of the pending business, same being S. C. R. No. 69 on its second reading.

Question—Shall the resolution be adopted?

Senator Schwartz offered the following amendment to the resolution:

Amend S. C. R. 69 by striking the language preceding the last resolving clause and substituting in lieu thereof the following:

Whereas, Americans throughout this great land and those stationed with our Armed Forces in the defense of liberty are sorrowed at the revelation of the incidents leading to the trial and conviction of Lt. William Calley, Jr., therefore, be it

The amendment was read and was adopted.

Senator Bates moved to reconsider the vote by which the amendment by Senator Schwartz was adopted.

The motion to reconsider the vote by which the amendment was adopted prevailed by the following vote:

## Yeas—18

Aikin	Hall
Bates	Harris
Beckworth	Hightower
Blanchard	Kothmann
Connally	McKool
Grover	Moore

Patman	Wallace
Sherman	Watson
Snelson	Wilson

## Nays—5

Bridges	Kennard
Brooks	Schwartz
Jordan	

## Absent—Excused

Bernal	Herring
Christie	Mauzy
Creighton	Ratliff
Harrington	Word

Question—Shall the amendment by Senator Schwartz be adopted?

On motion of Senator Bates, the amendment was tabled.

## Record of Vote

Senator Schwartz asked to be recorded as voting "Nay" on the motion to table the amendment.

Senator McKool offered the following amendment to the resolution:

Amend S. C. R. No. 69 by inserting immediately before the first resolving clause:

"Whereas, the people of Texas are greatly disturbed over the matter brought out in the My Lai court martial of 1st Lt. Wm. L. Calley, Jr.; and

Whereas, There is a strong feeling that Lt. Calley is being made a scapegoat for some of the higher officers in the U. S. Armed Forces and the present military system; now, therefore, be it"

The amendment was read and was adopted.

The resolution as amended was then adopted.

## Bills and Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolution:

H. B. No. 106.  
H. B. No. 182.  
H. B. No. 1625.  
H. C. R. No. 100.

### House Concurrent Resolution 94 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 94, Granting either House permission to adjourn from Wednesday, April 7, 1971, to Tuesday, April 13, 1971.

The resolution was read.

On motion of Senator Aikin and by unanimous consent, the resolution was considered immediately and was adopted.

### Conference Committee on House Bill 43

The President asked if there were any motions to instruct the Conference Committee on H. B. No. 43 before appointment.

There were no motions offered.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Hightower, Blanchard, Herring, Mauzy and Aikin.

### Senate Bill 27 with House Amendments

Senator Brooks called S. B. No. 27 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

#### Amendment No. 1

Amend S. B. 27 by striking the words in Section 2.09 (a) "elementary or secondary school" and add in lieu thereof "public school or state-supported institution of higher education" and also add after "diphtheria" the words "whooping cough," and after the word "tetanus" the word "typhoid," and after the word "smallpox" the following, "provided that such immunization shall be effective upon the date of first entry into the institution," and also strike the words "elementary or secondary school" in Section 2.09 (b) and add in lieu thereof the words "public school or state-supported institution of higher education." Also delete the words "elementary or secondary school" in Section

2.09 (c) and add in lieu thereof the words "public school or state-supported institution of higher education."

#### Amendment No. 2

Amend S. B. 27 by adding paragraph immediately before Section 2 to read as follows:

(d) The Texas Department of Public Health shall provide the required inoculations to children whose parents or guardians are unable to pay for such inoculations in areas where no local provision exists to provide those services.

The House amendments were read.

Senator Brooks moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

### Senate Concurrent Resolution 68 With House Amendment

Senator Wilson called S. C. R. No. 68 from the President's table for consideration of the House amendment to the resolution.

The President laid the resolution and the following House amendment before the Senate:

Amend S. C. R. 68 by striking out the last resolving clause and insert the following:

"Resolved, That the bill be returned to the Senate for its further consideration."

The House amendment was read.

Senator Wilson moved that the Senate concur in the House amendment.

The motion prevailed.

### Memorial Resolutions

S. R. No. 854—By Senator Watson: Memorial resolution for James L. Harcrow.

S. R. No. 855—By Senator Watson: Memorial resolution for John Howard Schwarck.

### Welcome and Congratulatory Resolutions

S. R. No. 847—By Senator Hightower: Extending welcome to Student

Council Representatives from the Panhandle area.

S. R. No. 848—By Senator Wallace: Extending commendation and congratulations to Miss Susan Moore for her understanding of handicapped citizens of Texas and for her literary prowess.

S. R. No. 849—By Senator Wilson: Extending commendation to Kelvin Phipps for his athletic achievements with Diboll Lumberjacks.

S. R. No. 850—By Senator McKool: Extending welcome to Juanita Theisen of Dallas.

S. R. No. 851—By Senator Watson: Extending welcome to Miss Linda Wall, et al.

S. R. No. 852—By Senator Watson: Extending welcome to Honorable Bill Black.

S. R. No. 853—By Senator Watson: Extending welcome to Doug Conlee.

S. R. No. 856—By Senator Watson: Extending welcome to Gus Crawford, et al.

S. R. No. 857—By Senator Wilson: Extending commendation to Larry Jenkins for his athletic achievements with the Alto Yellow Jackets.

S. R. No. 858—By Senator Wilson: Extending commendation to Donald Denman for his accomplishments with the Kennard Tigers.

S. R. No. 859—By Senator Wilson: Extending commendation to Robert Williams for his athletic accomplishments as a member of the Lufkin Panthers.

S. R. No. 860—By Senator Wilson: Extending commendation to Jimmy Brooks for his athletic accomplishments as a member of the Apple Springs Eagles.

S. R. No. 861—By Senator Wilson: Extending commendation to Mark Nichols for his athletic accomplishments as a member of the Lovelady Lions.

S. R. No. 862—By Senator Wilson: Extending commendation to Jimmy Weaver for his athletic accomplishments with the Nacogdoches Dragons.

S. R. No. 863—By Senator Wilson: Extending commendation to Rudolph Spencer for his athletic accomplishments with Apple Springs Eagles.

S. R. No. 864—By Senator Wilson: Extending commendation to Milton Baldwin for his accomplishments with Corrigan-Camden Bulldogs.

S. R. No. 865—By Senator Wilson: Extending commendation to Robert Osborn for his accomplishments with Lufkin Panthers.

S. R. No. 866—By Senator Wilson: Extending congratulations to Steele Wright for his services to community, State and Nation.

S. R. No. 867—By Senator Wilson: Extending commendation to Anthony Smith Chapter of the Daughters of the American Revolution for their recognition of youth of Texas.

S. R. No. 868—By Senator Wilson: Extending congratulations to 1970-71 Navarro Junior College Bulldog team.

S. R. No. 869—By Senator Wilson: Extending commendation to Tommy Malone, named to Academic Honor Roll at Lamar College.

S. R. No. 870—By Senator Wilson: Extending commendation to Miss Sheryle Locke, named to Dean's Honor List, East Texas Baptist College.

S. R. No. 871—By Senator Wilson: Extending congratulations to Mrs. Agnes D. Sanford.

S. R. No. 872—By Senator Wilson: Extending congratulations to Diboll High School, 1971 District 22-AA Basketball Champions.

S. R. No. 873—By Senator Wilson: Extending commendation to Major Carroll L. Magee.

S. R. No. 874—By Senator Wilson: Extending commendation to Harold D. Muckleroy, named to Dean's Honor List, Texas Christian University.

S. R. No. 875—By Senator Wilson: Extending commendation to Van Andrew Currie, Distinguished Military student at Texas A&M University.

**Adjournment**

On motion of Senator Aikin the Senate at 12:25 o'clock p.m. adjourned until 10:00 o'clock a.m. tomorrow.

**APPENDIX****Sent to Governor**

April 1, 1971

S. B. No. 140.

**FORTY-NINTH DAY**

(Friday, April 2, 1971)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kothmann
Beckworth	McKool
Blanchard	Moore
Brooks	Patman
Connally	Schwartz
Grover	Sherman
Hall	Snelson
Hightower	Wallace
Kennard	Watson

**Absent—Excused**

Bates	Herring
Bernal	Jordan
Bridges	Mauzy
Christie	Ratliff
Creighton	Wilson
Harrington	Word
Harris	

**Leaves of Absence**

Senator Word was granted leave of absence for today on account of important business on motion of Senator Hall.

Senator Ratliff was granted leave of absence for today on account of important business on motion of Senator Blanchard.

Senator Bates was granted leave of absence for today on account of important business on motion of Senator Kennard.

Senator Bernal was granted leave of absence for today on account of

important business on motion of Senator Aikin.

Senator Bridges was granted leave of absence for today on account of important business on motion of Senator Sherman.

Senator Christie was granted leave of absence for today on account of important business on motion of Senator Connally.

Senator Creighton was granted leave of absence for today on account of important business on motion of Senator McKool.

Senator Harrington was granted leave of absence for today on account of important business on motion of Senator Aikin.

Senator Harris was granted leave of absence for today on account of important business on motion of Senator Grover.

Senator Herring was granted leave of absence for today on account of important business on motion of Senator Moore.

Senator Jordan was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Mauzy was granted leave of absence for today on account of important business on motion of Senator McKool.

Senator Wilson was granted leave of absence for today on account of important business on motion of Senator Watson.

**Resolution Signed**

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolution:

S. C. R. No. 68.

**House Bills on First Reading**

The following bills received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 71, To Committee on Transportation.

H. B. No. 498, To Committee on Water and Conservation.